

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

ELIZABETH BILBIJA and  
ROBERT BILBIJA,

Plaintiffs,

v.

CHRISTOPHER T. LANE,

Defendant.

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No. 1:16-cv-02124-TWP-TAB

**ENTRY ON JURISDICTION**

It has come to the Court's attention that Defendant's Notice of Removal fails to allege all of the facts necessary to determine whether this Court has subject matter jurisdiction over this case. The Notice of Removal alleges that this Court has jurisdiction based upon diversity of citizenship. However, the Notice of Removal fails to sufficiently allege the citizenship of the parties. Citizenship is the operative consideration for jurisdictional purposes. *See Meyerson v. Harrah's East Chicago Casino*, 299 F.3d 616, 617 (7th Cir. 2002) ("residence and citizenship are not synonyms and it is the latter that matters for purposes of the diversity jurisdiction").

The Notice of Removal alleges that "Plaintiffs allege that they reside in Ontario, Canada. (See Complaint at ¶ 1)," and "Defendant is a resident of the State of Indiana." ([Filing No. 1 at 2.](#)) The Complaint alleges that "Elizabeth Bilbija and Robert Bilbija are husband and wife (Plaintiffs). The two reside together in Ontario, Canada." ([Filing No. 1-2 at 7.](#)) These allegations of residency are not sufficient to allow the Court to determine whether diversity jurisdiction exists.

Therefore, the Defendant is **ORDERED** to file a Supplemental Jurisdictional Statement that establishes the Court's jurisdiction over this case. This statement should specifically identify

the citizenship of each of the parties. This jurisdictional statement is due **fourteen (14) days** from the date of this Entry.

**SO ORDERED.**

Date: 8/19/2016

A handwritten signature in black ink, reading "Tanya Walton Pratt", is written over a horizontal line.

TANYA WALTON PRATT, JUDGE  
United States District Court  
Southern District of Indiana

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